

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Olivier Boireau
For: INTEGRATED CIRCUIT PACKAGE AND PRINTED CIRCUIT BOARD ARRANGEMENT
Serial No.: 10/065,016 Examiner:
Filed: September 12, 2002 Group Art Unit: 2841
Atty. Docket #: 71522-2 Confirmation No.:

DECLARATION OF OLIVIER BOIREAU

I, Olivier Boireau, state as follows:

1. My name is Olivier Boireau. I am more than twenty-one (21) years of age, of sound mind, capable of making this declaration, and fully competent to testify to the matters stated herein. All statements made of my own knowledge are true and all statements made on information and belief are believed by me to be true.
2. Sendo International Limited ("Sendo") is the assignee of U.S. Application No. 10/065,016 entitled "Integrated Circuit Package and Printed Circuit Board Arrangement" ("the Application"). I am the Head of Development for Smartphones for the Sendo group of companies and have been an employee since December 1999. My responsibilities include management of the Baseband group within the Sendo group of companies.
3. I am the Applicant of the Application and the inventor of the invention claimed in the Application.
4. I am personally aware of the existence of a device on the market that I believe infringes the Application. Part "ic/POMAP710AGZ02 1.9V/Texas", also known as "the Perseus Chip", is a core chip fabricated, on information and belief, by Texas Instruments Inc. in Dallas, Texas at Waferfab - DMOS4, Expressway Site, Central Expressway, Dallas, Texas 75243.
5. The Perseus Chip, made in the United States by Texas Instruments, Inc., is used in a smartphone product called the SPV, launched in Europe by Orange S.A. and

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Microsoft Corporation, and, on information and belief, manufactured by High Tech Computer, Corp ("HTC"). A copy of a press release on the website of Orange Personal Communications appears as Exhibit 1 to this declaration. The press release shows that the phone uses a TI (Texas Instruments) OMAP ARM processor, which processor is known to me to be the Perseus Chip. From press information known to me, I believe that there have been sales of approximately 40,000 SPV phones up to February 2003.

6. I have examined a Perseus chip, and performed a rigid comparison with the claims of the Application as amended. In my opinion the Perseus Chip unquestionably infringes claims 1, 3-5, and 7-13 of the Application. I have examined an SPV phone and I know that it includes the Perseus Chip.

7. In addition, on December 10, 2002, and subsequently, HTC filed documents with the Federal Communications Commission ("FCC") seeking approval of a product bearing the FCC code name NM8Tanager. The filing can be seen at https://gulfoss2.fcc.gov/cgi-bin:www.exe/prod/csl/forms/reports/Search_Form.htm?mode=Edit&form=Exhibits&application_id=585467&fcc_id=NM8TANAGER.

8. The Tanager product uses the Perseus Chip.

9. I have a good knowledge of the pertinent prior art and I have caused to be made a careful and thorough search of the prior art. In the priority application GB 0121891.6, the U.K. Patent Office has conducted two searches in an examination that was expedited because of an infringement in the U.K. Each reference uncovered in the searches has been disclosed to the U.S. Patent and Trademark Office.

I make this declaration knowing that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Dated: 14/05/03

By: 

Olivier Boireau

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